

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 2431 OF 2006

Mr. B.K. Mahansaria and ors. ..Petitioners
(Org.Accd.Nos.2, 3, 5
and 7)

Vs.

Mr. Avinash Chimanlal Maniar ..Respondents
and ors.

Ms. S.D. Khot and Mr. Maheen Pradhan for petitioners.
Mr. S.R. Mithare i/by Mr. Niranjana Mundargi for
respondent no.1.
Mr. Kazar Sharawala for respondent no.2.
Mr. D.P. Adsule, APP for respondent no.3-State.

CORAM: B.H. MARLAPALLE, J.

Date : July 04, 2007.

P.C.:

1. The learned counsel for the petitioners placed on record a pursis for settlement and as per the same he has handed over D.D. No.167554 for an amount of Rs.85,000/- issued by Tamilnadu Mercantile Bank Ltd. on 3/7/2007. The petitioner no.1 is no more and the petition stands abated so far as he is concerned.

2. In Criminal Case No. 1156/S/2001, the

dishonoured cheque amount was Rs.57,000/- and, therefore, the total liability of the original accused no.1-company comes to Rs.85,000/-. The said liability is being discharged by this D.D. for Rs.85,000/-. The DD is handed over in the court to the learned counsel for the original complainant. Section 147 of the Negotiable Instruments Act, 1881 provides for compounding of every offence punishable under the said Act.

3. Hence, the offence in C.C. No.1156/S/2001 is hereby allowed to be compounded under Section 147 of Negotiable Instruments Act, 1881 and the application is disposed off accordingly.

(B.H. Marlapalle, J.)